

Message

---

**From:** Nesci, Kimberly [Nesci.Kimberly@epa.gov]  
**Sent:** 2/1/2021 3:06:09 PM  
**To:** Goodis, Michael [Goodis.Michael@epa.gov]; OPP Division Directors [OPP\_Division\_Directors@epa.gov]; OPP Deputy & Associate Directors [OPP\_Deputy\_& \_Associate\_Directors@epa.gov]  
**CC:** Theriault, Alberta (Carla) [Theriault.Carla@epa.gov]; Dinkins, Darlene [Dinkins.Darlene@epa.gov]  
**Subject:** RE: Implementation of President Biden's Executive Orders: Draft list of regulatory actions

One I see missing is the FIFRA equivalent of the following:

- Line 45 - Increasing Consistency and Transparency in Considering Costs and Benefits in the Rulemaking Process under the Toxic Substances Control Act.

That said, it appears the Administration plans to "Revise, Suspend, or Rescind" the Air version of this that published last summer (Line 27). <https://www.epa.gov/air-and-radiation/final-rule-increasing-consistency-considering-benefits-and-costs-clean-air-act>

---

**From:** Goodis, Michael <Goodis.Michael@epa.gov>  
**Sent:** Monday, February 1, 2021 8:32 AM  
**To:** OPP Division Directors <OPP\_Division\_Directors@epa.gov>; OPP Deputy & Associate Directors <OPP\_Deputy\_& \_Associate\_Directors@epa.gov>  
**Cc:** Theriault, Alberta (Carla) <Theriault.Carla@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>  
**Subject:** FW: Implementation of President Biden's Executive Orders: Draft list of regulatory actions

Please look over the attached list for rules/reg actions to move forward (OCSPP starts line 33) and Rick's suggestions below.

We will discuss during OPP staff meeting today. Also let us know if any are missing – ANPRM 25b?

Michael L. Goodis, P.E.  
Acting Deputy Director for Programs  
Office of Pesticide Programs  
Office of Chemical Safety and Pollution Prevention  
U.S. Environmental Protection Agency  
Washington, D.C.  
571-309-5497 (cell)

---

**From:** Keigwin, Richard <Keigwin.Richard@epa.gov>  
**Sent:** Monday, February 01, 2021 7:46 AM  
**To:** Messina, Edward <Messina.Edward@epa.gov>; Goodis, Michael <Goodis.Michael@epa.gov>; Layne, Arnold <Layne.Arnold@epa.gov>  
**Cc:** Smith, Peterj <Smith.Peterj@epa.gov>; Dinkins, Darlene <Dinkins.Darlene@epa.gov>  
**Subject:** FW: Implementation of President Biden's Executive Orders: Draft list of regulatory actions

Could you put this topic on the agenda for this week's OPP General?

By this Friday, Michal needs to respond to OP on how to proceed with certain rules listed in the attachment.

## Ex. 5 Deliberative Process (DP)

# Ex. 5 Deliberative Process (DP)

Do you see any others?

---

**From:** Arroyo, Victoria <Arroyo.Victoria@epa.gov>

**Sent:** Friday, January 29, 2021 5:37 PM

**To:** Utech, Dan <Utech.Dan@epa.gov>; Career Deputy Assistant Administrators

<Career\_Deputy\_Assistant\_Administrators@epa.gov>; Leadership\_Deputy\_Regional\_Administrators

<Leadership\_Deputy\_Regional\_Administrators@epa.gov>; Nishida, Jane21 <ActAdmJ21Nishida@epa.gov>; Goffman,

Joseph <Goffman.Joseph@epa.gov>; Hoffer, Melissa <Hoffer.Melissa@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>;

Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Blythers, Dorien

<Blythers.Dorien@epa.gov>

**Cc:** Fine, Philip <Fine.Philip@epa.gov>; Garbow, Avi <Garbow.Avi@epa.gov>; Nickerson, William

<Nickerson.William@epa.gov>; Hamilton, Lindsay <Hamilton.Lindsay@epa.gov>

**Subject:** RE: Implementation of President Biden's Executive Orders: Draft list of regulatory actions

Dear Current and Acting EPA Leadership,

Following up on the message below from Chief of Staff Dan Utech, please see the attached spreadsheet that provides an initial list of regulatory actions that are intended to be signed this year and that OMB will review. The eight EPA actions explicitly mentioned in the **Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis** have already been added to the spreadsheet. Please review all of your program's or region's actions on the spreadsheet and make a determination about whether they should be reviewed pursuant to the Executive Order. The attached list may not be complete so we encourage each office and region to look comprehensively at all of their actions under development, any new actions planned for this year, and any guidance documents (including those on <https://www.epa.gov/guidance>) from the last four years that could be reviewed by this December.

The internal deadlines for this as outlined below are:

**February 5:** Programs/Offices provide draft lists to Office of Policy

**February 12:** Final lists due to Office of Policy

**February 19:** EPA List submitted to OMB

Thank you all, and hope you are heading into a good weekend.

Best,

Vicki Arroyo

Associate Administrator, Office of Policy

---

**From:** Utech, Dan <Utech.Dan@epa.gov>

**Sent:** Saturday, January 23, 2021 7:08 PM

**To:** Career Deputy Assistant Administrators <Career\_Deputy\_Assistant\_Administrators@epa.gov>;

Leadership\_Deputy\_Regional\_Administrators <Leadership\_Deputy\_Regional\_Administrators@epa.gov>; Nishida, Jane21

<ActAdmJ21Nishida@epa.gov>; Goffman, Joseph <Goffman.Joseph@epa.gov>; Hoffer, Melissa

<Hoffer.Melissa@epa.gov>; Arroyo, Victoria <Arroyo.Victoria@epa.gov>; Fox, Radhika <Fox.Radhika@epa.gov>;

Freedhoff, Michal <Freedhoff.Michal@epa.gov>; Cassady, Alison <Cassady.Alison@epa.gov>; Blythers, Dorien

<Blythers.Dorien@epa.gov>

**Subject:** Implementation of President Biden's Executive Orders

**TO: Current and Acting EPA Leadership**  
**FR: Dan Utech, Chief of Staff**  
**RE: Implementation of President Biden's Executive Orders**

This past week, President Biden issued a set of Executive Orders, several of which require EPA to take action with urgent deadlines. Many of you likely have already read and started developing implementation plans for the components of the orders relevant to your programs and offices. To ensure that we stay on pace agencywide to meet our obligations, I ask that each office review the following and develop a plan to meet the urgent and longer-term deadlines.

### **URGENT DEADLINES**

#### Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis

This EO requires EPA to "review all existing regulations, orders, guidance documents, policies, and any other similar agency actions (agency actions) promulgated, issued, or adopted between January 20, 2017, and January 20, 2021, that are or may be inconsistent with, or present obstacles to, the policy set forth in section 1 of this order. For any such actions identified by the agencies, the heads of agencies shall, as appropriate and consistent with applicable law, consider suspending, revising, or rescinding the agency actions." **Within 30 days, EPA must submit to the Director of the Office of Management and Budget a preliminary list of any actions being considered that would be completed by December 31, 2021, and that would be subject to OMB review.** With this thirty-day deadline in mind, please note the following milestones:

#### **Internal Deadlines**

**February 5:** Programs/Offices provide draft lists to Office of Policy

**February 12:** Final lists due to Office of Policy

**February 19:** EPA List submitted to OMB

To assist in the development of lists of agency actions, the Office of Policy will distribute an initial list during the week of January 25.

#### Executive Order on Protecting the Federal Workforce and Requiring Mask-Wearing

**January 27, 2021:** Administrator must report on progress of implementation of mask mandate and COVID protocols across EPA campuses.

### **EXECUTIVE ORDERS AND MEMOS FOR REVIEW**

Please review the following and develop a plan for meeting the given deadlines and completing the tasks in your purview. Additional details on process and timelines will follow.

MEMO: Regulatory Freeze Pending Review

MEMO: Modernizing Regulatory Review

Executive Order on Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis

Executive Order on Revocation of Certain Executive Orders Concerning Federal Regulation

Executive Order on Advancing Racial Equity and Support for Underserved Communities Through the Federal Government

Executive Order on Organizing and Mobilizing the United States Government to Provide a Unified and Effective Response to Combat COVID-19 and to Provide United States Leadership on Global Health and Security

Executive Order on Protecting the Federal Workforce and Requiring Mask-Wearing

Executive Order on Ensuring an Equitable Pandemic Response and Recovery

Executive Order on Ensuring a Data-Driven Response to COVID-19 and Future High-Consequence Public Health Threats

Executive Order on Ethics Commitments by Executive Branch Personnel

Executive Order on Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation

Executive Order on Establishing the COVID-19 Pandemic Testing Board and Ensuring a Sustainable Public Health Workforce for COVID-19 and Other Biological Threats  
Executive Order on Protecting the Federal Workforce  
Executive Order on Economic Relief Related to the COVID-19 Pandemic